IN RE:

PETITION FOR ADMIN. VARIANCE

NW/S Butler Road, 1310' E of the

c/1 of Longnecker Road

(4100 Butler Road) 4th Election District

3rd Councilmanic District

David W. Champney, et ux Petitioners

* BEFORE THE

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

Case No. 97-174-A

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Variance for that property known as 4100 Butler Road, located in the vicinity of Longnecker Road in Glyndon. The Petition was filed by the owners of the property, David W. and Elizabeth C. Champney. The Petitioners seek relief from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (30' x 22' x 18' garage) to be located in the front yard in lieu of the required rear yard, with a height of 18 feet in lieu of the maximum permitted 15 feet. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked as Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion

JADER RECEIVED/GOR FILING

MICROFILMED.

of the Deputy Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

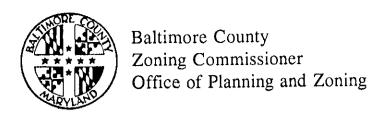
- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) The Petitioners shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartments. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.
- 3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

TIMOTHY M. KOTROCO

Deputy Zoning Commissioner

for Baltimore County

TMK:bjs



Suite 112, Courthouse 400 Washington Avenue Towson, Maryland 21204 (410) 887-4386

November 14, 1996

Mr. & Mrs. David W. Champney 4100 Butler Road Glyndon, Maryland 21071

RE: PETITION FOR ADMINISTRATIVE VARIANCE

NW/S Butler Road, 1310' E of the c/1 of Longnecker Road

(4100 Butler Road)

4th Election District - 3rd Councilmanic District

David W. Champney, et ux - Petitioners

Case No. 97-174-A

Dear Mr. & Mrs. Champney:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management Office at 887-3391.

Very truly yours,

TIMOTHY M. KOTROCO

Deputy Zoning Commissioner

for Baltimore County

TMK:bjs

cc: People's Counsel

File

MINORILMED!



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 4100 Butler ROAD, GLYNDON which is presently zoned R.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400.1 & 400.3

To allow an accessory strucutre (garage) in the front yard in lieu of the required rear yard and to allow a height of 18 feet in lieu of the maximum required height of 15 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

We need to add storage space to our single-story dwelling, which does not have a basement and has very little attic space. The extra height petitioned for will allow adequate room to meet our storage requirements. We have no neighbors closer than 1/4 mile for whom the change will cause a hardship or inconvenience.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

				ragal chinarial of the property which is the subject of this Petition.
Contract Purchaser/Lessee:				Legal Owner(s):
				Davis W. Graning
(Type or Print Name)				(Type or Print Name)
,	-			1
Signature				Signature
				ELIZABETH C. CHAMPNEY
Address		_		Propor Print Name)
1				Challon VIII QUIDNON.
City	State	Zipcode	K	Signature 9
Attorney for Petitioner			("	WASK-6862
	1 1 1 1 2 3	* 5 ,	, , ,	4180 Burn = RDOD H826-3791
(Type or Print Name)	., , ,			Address Phone No
				CHARLES MARINA CLARK
				STYNDON MINKYLAND ZIOTI
Signature				City State Zipcode Name, Address and phone number of representative to be contacted
	*			•
Address	Phone No.			Name
City	State	Zipcode	,	Address Phone No.
,	41			
A Public Hearing having be	en requested paid or lovidito	se required, it is	ordered b	the Zoning Commissioner of Baltimore County, thisday of19



REVIEWED BY JEF DATE: 10/11/96
ESTIMATED POSTING DATE: 10-20-96

that the subject modes of this perillon be set for a public hearing, advertised, as required by the Laning Regulations of Baltimore County, in two newspapers of general airculation, throughout Baltimore County, and that the property be reposted.

Zoning Commissioner of Baltimore County

ITEM #: 174

Affidavit

in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Afflant(s) and that Afflant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at		er road	* · ·
	GLYNDON	MARYLAND	17015
	City	Outer .	Zip Çode
That based upon personal knowledge, the followariance at the above address: (indicate hardship of		nich I/we base the request for an	Administrative
,			
We need to add storage space to ou has very little attic space. The ext our storage requirements. We have cause a hardship or inconvenience.	ra height petitioned e no neighbors closer	for will allow adequate	room to meet
			; ~ - <u> </u>
			. 1967
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	÷		
That Affiant(s) acknowledge(s) that if a prote may be required to provide additional information of the country of BAL I HEREBY CERTIFY, this day of Maryland, in and for the County aforesaid.	TIMORE to wit:	Integration (Control of the Control	MAMPHEY . CHAMPHEY
DAVE W CHAMPNOY	\$ EARAGEM (- CHAMPNEY	
the Affiants(s) herein, personally known or sat that the matters and facts hereinabove set fort	tisfactorily identified to me	as such Affiantt(s), and made o	oath in due form of law ge and belief.
AS WITNESS my hand and Notarial Seal.	NOTARY	Ruth	or yes
, QMT		ssion Expires:	

DAVID M. MILLER
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires June 4, 2000

ZONING DESCRIPTION, PROPERTY OF DAVID W. & ELIZABETH C. CHAMPNEY

Beginning at a point on the West side of Butler Road ($22' \pm \text{paving}$) at a distance of $1310' \pm \text{East}$ of Longnecker Road ($20' \pm \text{paving}$). Thence the following courses and distances: West 207.3', North 210', East 207.3', South 106' and South 105.2 back to the point of beginning, being 4100 Butler Road, as recorded in Baltimore County Plat Book Liber 8103, pages 287-289, containing 1.03 acres, in the 4th Election District, 3rd Councilmanic District.

#174

Section of the sectio	以外的 PNK - AGENCY YELLOW-CUSTOMER	70km 2756 # 27-174-A	010 - Varionce \$50.09	FROM: CHAMPNEY	AMOUNT \$ 50.0	DATE 10-11-96 ACCOUNT 2-001-	BALTIMORE COUNTY, MARYLAND FICE OF FINANCE - REVENUE DIVISION JISCELLANEOUS CASH RECEIPT
the state of the s	13-11-94 RE OF CASHIER	74-8	S0.09 AUX	Uni	00.00	2.001-015-000	6. 027904

CERTIFICATE OF POSTING

	Date of Hearing/Closing: Nov. 4, 1991
Baltimore County Department Permits and Development County Office Building, Road 111 West Chesapeake Ave Towson, MD 21204	Management oom 111
Attention: Ms. Gwendolyn	Stephens
Ladies and Gentlemen:	
•	er the penalties of perjury that the necessary sign(s) required by law on the property located at #4100 BUTLER ROAD
The sign(s) were posted or	OCTOBER 18,1996 (Month, Day, Year)
	(Month, Day, Year)
	Sincerely,
	Signature of Sign Poster and Date)
	PATRICK M, O'KEEFE
•	PATRICK M, O'KEEFE (Printed Name) 523 PENNY LANE
ZONING MOTICE	
ADMONISTRATIVE	(Address)
VARIANCE	(City, State, Zip Code)
CASE & 97-1744	666-5366
COLLEGE OF LEGISLAND BEARING	(Telephone Number)
PUBLIC HEARING? PHEND IN HUMAN MATERIA CONTROL AN ELGRAS MONOBLA OR GRACE MATERIA AN ELGRAS MONOBLA OR GRACE MATERIA AN ELGRAS MONOBLA OR GRACE MONOBLA BEGINEST A MATERIA MATERIA PROPORTIO	

RE: Case No.: 97-174 A

Petitioner/Developer: DAVID CHAMPNEY

#4100 BUTLER ROAD



CASE NO. 97-174-A # 4100 BUTLER ROAD



Baltimore County Department of Permits and Development Management

Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

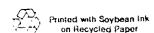
This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR
For newspaper advertising:
Item No.: 174
Petitioner: DAVID W. & ELIZABETH C. CHAMPUEY
Location: 4100 BUTLER FORD, GLYNDON, MD 21071
PLEASE FORWARD ADVERTISING BILL TO:
NAME: DAVID W. CHAMPNEY
ADDRESS: 400 BUTTER ROAD
GLYNDON MD 21071
PHONE NUMBER: 410-526-3791
AJ:ggs (Revised 09/24/96)

MICROFILMED



Request for Zoning: Administrative Variance

Date to be Posted: Anytime before but no later than 10-20-96

Format for Sign Printing, Black Letters on a White Background:

ZONING NOTICE

ADMINISTRATIVE VARIANCE

Case No. 97-174-A

To allow an accessory structure (garage) in the front yard in lieu of the required rear yard and to allow a height of 18 in lieu of the maximum required height of 15

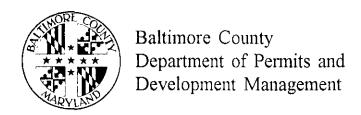
PUBLIC HEARING?

PURSUANT TO SECTION 26-127(b) (1), <u>BALTIMORE COUNTY CODE</u>, AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC HEARING CONCERNING THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS RECEIVED IN THE ZONING REVIEW BUREAU BEFORE 5:00 P.M. ON

ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING, 111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

October 17, 1996

ABOUT YOUR ADMINISTRATIVE VARIANCE

CASE NUMBER: 97-174-A (Item 174)
4100 Butler Road

NW/S Butler Road, 1310' E of c/l Longnecker Road
4th Election District - 3rd Councilmanic

Legal Owner(s): David W. Champney and Elizabeth C. Champney
Post by Date: 10/20/96

closing Date: 11/04/96

Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice serves as a refresher regarding the administrative process.

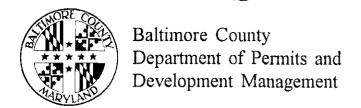
- 1) The Zoning Notice sign must be visible on the property under petition on or before the "Post by Date" noted above. It should remain there until after the closing date.
- 2) The "Closing Date" noted above, is the deadline for a neighbor to file a formal request for a public hearing.
- 3) After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. He/She may (a) grant the requested relief, (b) deny the requested relief, or (c) Order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days) as to whether or not your petition has been granted, denied, or will go to public hearing.
- 4) In cases that must go to a public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), notification of same will be forwarded to you. The sign on the property must be changed giving notice of the hearing's date, time and location. As when the sign was originally posted, cartification of this change and a photograph of the altered sign, must be forwarded to this office.

IS NOT THE PROCESS PLEASE UNDERSTAND ON THE CLOSING DATE, THAT THROUGH FINAL REVIEW. ORDERS COMPLETE. THE FILE MUST GO AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon Director

cc: David and Elizabeth Champney

MICROFILMED



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

November 14, 1996

Mr. and Mrs. David Champney 4100 Butler Road Glyndon, MD 21071

> RE: Item No.: 174 Case No.: 97-174-A

> > Petitioner: David Champney, et ux

Dear Mr. and Mrs. Champney:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on October 11, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.

Zoning Supervisor

WCR/re
Attachment(s)

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

OT:

Arnold Jablon, Director

Date: October 25, 1996

Department of Permits & Development

Management

FROM:

Robert W. Bowling, Chief Development Plans Review Division

SUBJECT:

Zoning Advisory Committee Meeting

for October 28, 1996

Item Nos. 161, 164, 165, 166, 171,

172, & 174

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File

ZONE34

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO:

PDM

DATE: 10/25/96

FROM:

R. Bruce Seeley

Permits and Development Review

DEPRM

174

SUBJECT: Zoning Advisory Committee
Meeting Date: Oct 2/96

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

RBS:sp

BRUCE2/DEPRM/TXTSBP



Maryland Department of Transportation State Highway Administration

David L. Winstead Secretary Parker F. Williams Administrator

Ms. Roslyn Eubanks Baltimore County Office of Permits and Development Management County Office Building, Room 109 Towson, Maryland 21204

RE:

10-33-96

Baltimore County Item No. 174 (TRF)

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-545-5581 if you have any questions.

Thank you for the opportunity to review this item.

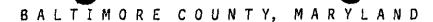
Ronald Burns, Chief

Engineering Access Permits

BS/es

MICROFILMED

My telephone number is ...



DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO:

PDM

DATE: 10/22/96

FROM:

R. Bruce Seeley

Permits and Development Review

DEPRM

SUBJECT:

Zoning Advisory Committee Meeting Date:

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

161 166 (174) 162 168 163 169

164 171

165 172

RBS:sp

BRUCE2/DEPRM/TXTSBP

MICROFILMED

Baltimore County Government Fire Department



700 East Joppa Road Towson, MD 21286-5500 Office of the Fire Marshal (410) 887-4880

DATE: 10/21/96

Arnold Jablon Director Zoning Administration and Development Management Baltimore County Office Building Towson, MD 21204 MAIL STOP-1105

Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF OCT. 21, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 161, 163, 164, 165, 166, 167, 170,171,172,173 and (174.)

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

Printed with Soybean Ink on Recycled Paper

Petitions from Zoning Advisory Committee SUBJECT:

The Office of Planning has no comments on the following petition(s):

Item Nos. 157, 161, 162, 163, 165, 166, 169, 171, 172,

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by: Jeffy W-Zorg

Division Chief: Say L-Lenn

PK/JL

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: October 18, 1996

TO:

Arnold Jablon, Director

Permits and Development

Management

FROM:

Pat Keller, Director

Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 157, 161, 162, 163, 165, 166, 169, 171, 172, 174

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by:

Division Chief:

PK/JL

MICROFILMED.

PETITION PROBLEMS

#161 --- JRF

- 1. No item number on receipt.
- 2. Notary section is incomplete.

#164 --- JCM

Need printed or typed name of second legal owner.

#165 --- MJK

1. Need someone to sign for first legal owner. Also need authorization for that person to sign.

#167 --- JRA

- 1. Folder has paperwork for undersized lot -- Petition says nothing about an undersized lot.
- 2. Notary section is incorrect.

#168 --- JRA

- 1. Special Exception is on wrong form This is a Special Hearing form, not Special Exception (see top paragraph of the form).
- 2. Need authorization for person to sign for legal owner.

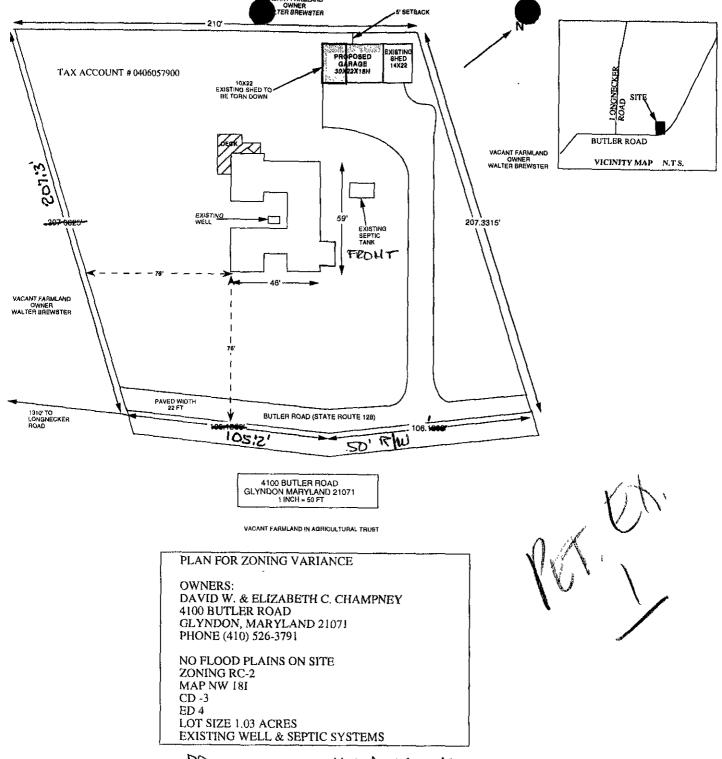
#171 --- CAM

1. Need address and telephone number for legal owner.

#174 --- JRF

1. No item number on receipt.

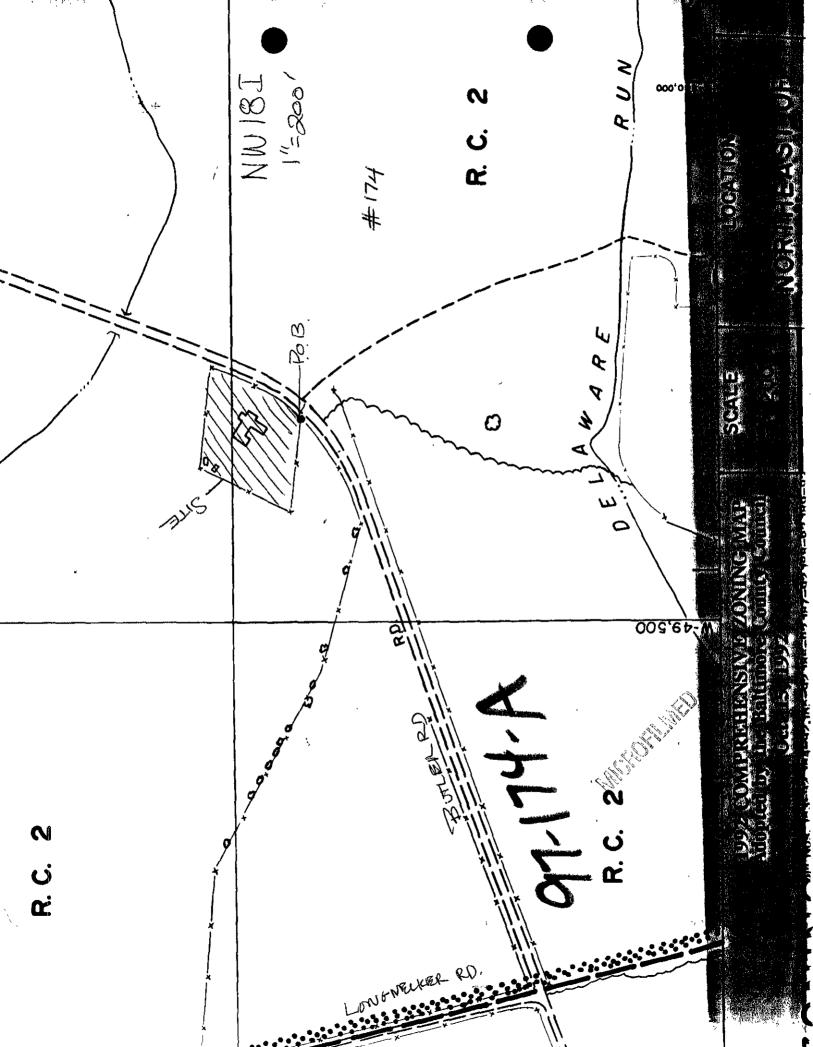
MICROFILMED.

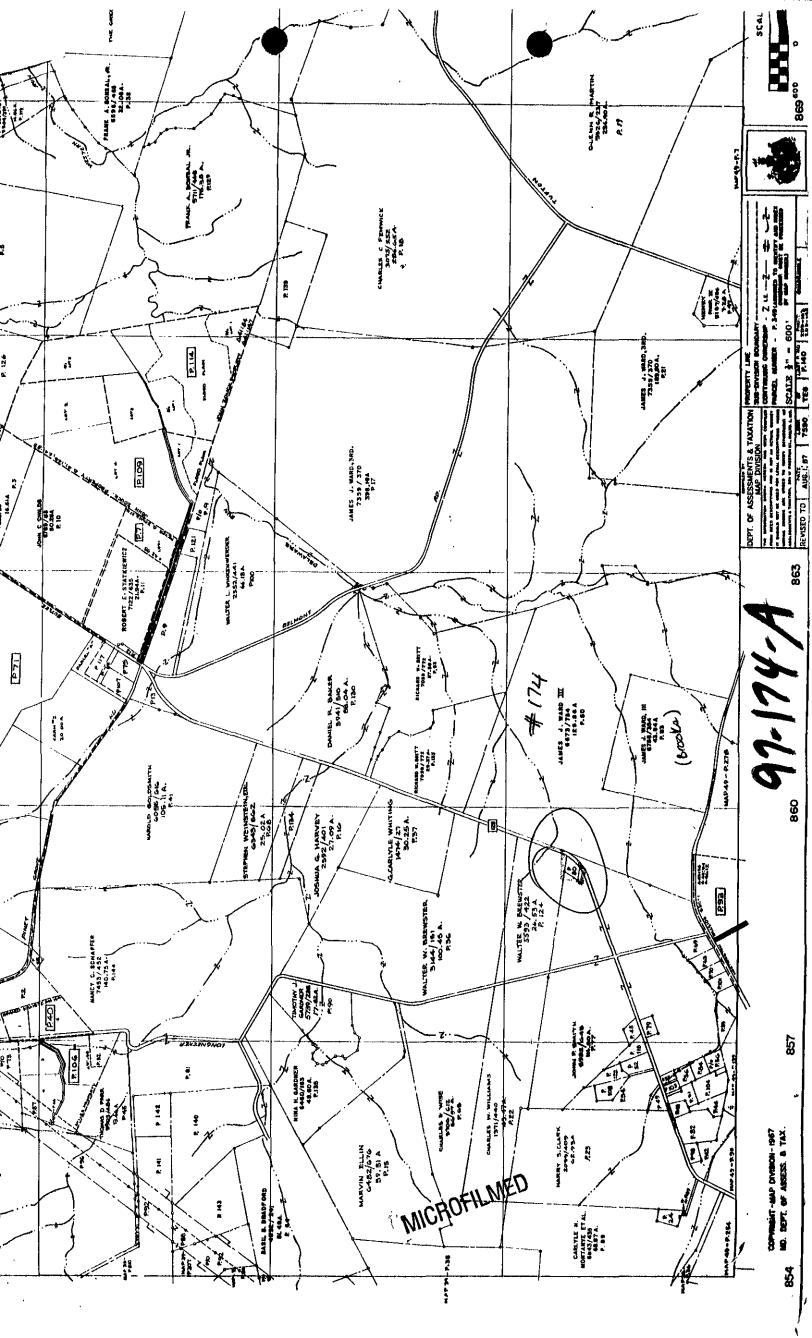


CANT FARMLAND

PENDE ZONING HEARING - NONE

97-174-8 MICROFILMED #174



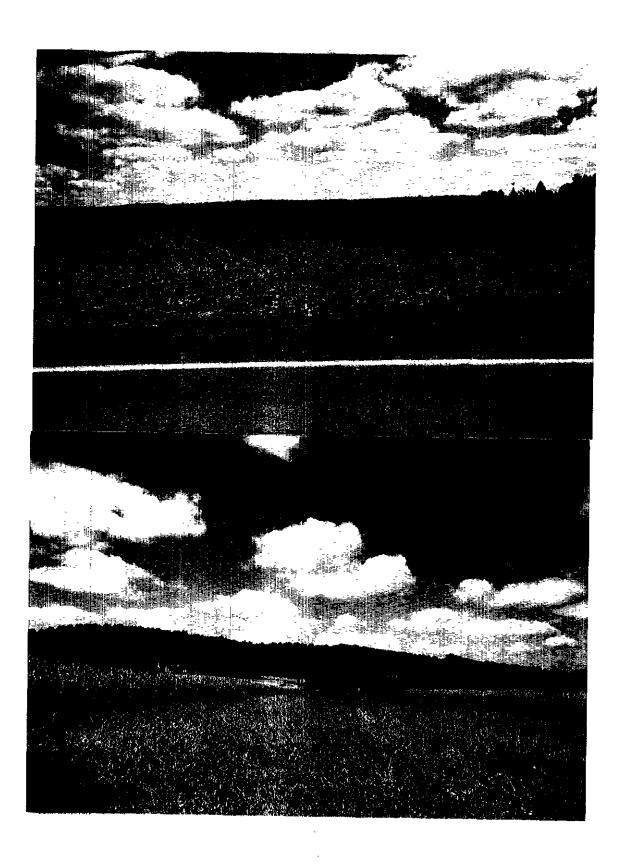


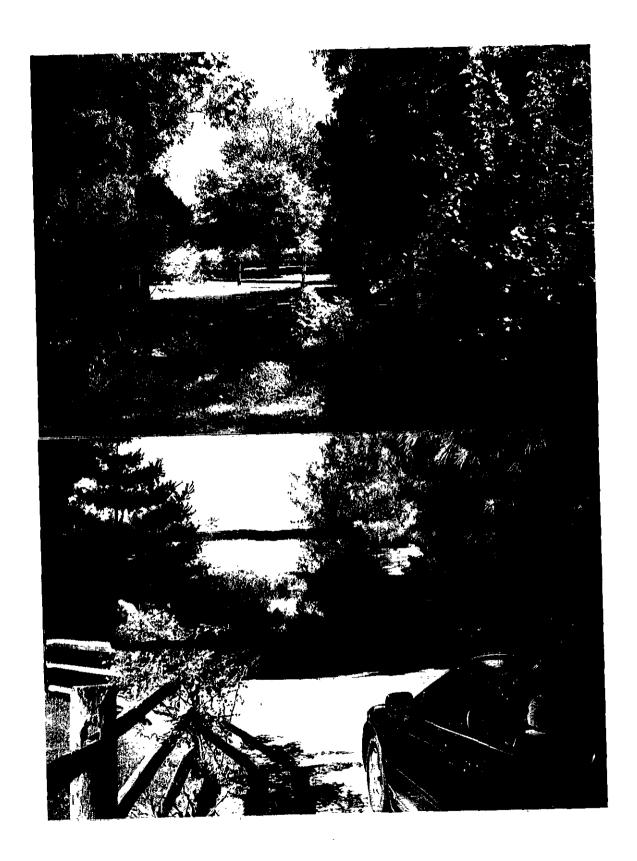


Baltimore County
Department of Permits and
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

OHNETHICH STOP

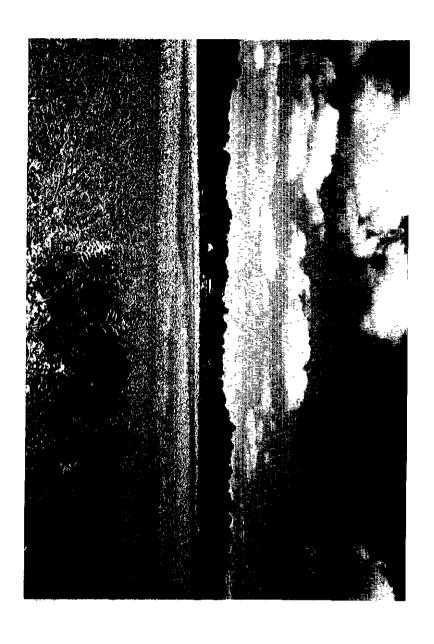












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